

No. 11(112)-3Lab-78/971.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Jwala Textile Mills, Gurgaon :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 199 of 1978

between

THE WORKMEN AND THE MANAGEMENT OF M/S JWALA TEXTILE MILLS, GURGAON

Present.—

Shri Sagar Ram Gupta, for the workmen.

Shri G. D. Verma, for the management.

AWARD

By order No. GG-N-8/78/31059, dated the 5th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s Jawala Textile Mills Gurgaon, and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act :—

Whether Shri Suraj Bhan is entitled to wages for the period from 22nd February, 1978 to 16th March, 1978 ? If so, with what details ?”

On receipt of the order of reference, notices were issued to the parties who appeared and settled their dispute. The management agreed to pay to the workman a sum of Rs 40 in full and final settlement of his claim and dispute and the workman agreed to accept the said amount and the said terms of the settlement. It was further settled that the above-said sum of Rs. 40 shall be paid to the workman within a week of 14th December, 1978. The parties prayed for an award according to the settlement. I, therefore, give my award that the management shall pay a sum of Rs 40 only to the workman and thereupon the dispute and claim of the workman shall stand satisfied. The amount shall be payable up to 22nd December, 1978. The workman shall not be entitled to any other relief.

Dated 12th January, 1979.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 18, dated the 18th January, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11 (112)-3 Lab-78/972.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Pack Master, Sector-4, Faridabad:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 81 of 1974

between

SHRI ILLYAS WORKMAN AND THE MANAGEMENT OF M/S PACK MASTER, SECTOR-4
FARIDABAD.

Present :—

Shri Bhim Singh for the workman.

Shri H. R. Dua for the management.

AWARD

By order No. ID/18627—31, dated 4th July, 1974, the Governor of Haryana referred the following dispute between the management of M/s Pack Master, Sector-4, Faridabad and its workman Shri Ilyas, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Ilyas was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties the following issues were framed on 27th February, 1975 by my learned predecessor:—

1. Whether the demand, the subject matter of the present reference, was first raised on the management and rejected by it before taking up the matter for conciliation? If not, with what effect?
2. Whether it is a case of abandonment of service by the workman concerned as alleged by the management? If so, with what effect?
3. Whether the termination of services of Shri Ilyas was justified and in order? if not, to what relief is he entitled?

The case was fixed for the evidence of the workman. The workman examined himself on issue No. 1 and closed his case. Then the case was fixed for the evidence of the management. The management examined Shri J. S. Lamba their Manager as M W-1 and closed their case. Then the case was fixed for arguments. Arguments were heard. The management moved an application that the name of the management is not Pack Master but is Pack Master Private Limited, Plot No. 14, Sector-4 which was not rebutted by the representative for the workman. In the order of reference, the management is described as Pack Master, Sector-4 Plot No. 14 is addressed and the omission of Plot No. 14 does not matter at all, it being the address of the management as Pack Master only is immaterial whereas the name of the management is Pack Master Private Limited. Award shall be unimplementable against the proper management as there is no such management as Pack Master. I, find that the management has been described wrongly. In these circumstances, it is not worthwhile to proceed with the reference.

I, therefore, give my award that there is no dispute between the workman Shri Ilyas and the management of M/s. Pack Master. Further this award shall not bind or bar the workman to move the Government to again refer the dispute against the correct management by describing its correct name.

Dated, the 16th January, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 19, dated the 18th January, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.